

REMARKS

Claims 1, 3-32 and 34-35 are pending in this application. Claims 8-30 are currently withdrawn. By this Amendment, claim 1 is amended to incorporate the subject matter of claim 33. Claims 34 and 35 are amended for antecedent basis. Claim 33 is canceled. No new matter is added by this Amendment.

Entry of the amendments is proper under 37 C.F.R. §1.116 because the amendments: (a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments merely incorporate the subject matter of a claim that has been indicated as allowed); (c) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Interview

The courtesies extended to Applicants' representative by Examiner Siefke at the interview held January 27, 2009, are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below and constitute Applicants' record of the interview.

During the interview, Applicants argued that the column temperature increase of 10°C/min in Example 5 of Jinno is directed to a gas chromatography (GC) process for a GC separation column, and not a solid phase extraction (SPE) column. In contrast, one would further understand that Examples 1-4 of Jinno are directed to a SPE process, and Jinno (either by the Examples or broad disclosure) does not describe increasing the temperature of a solid-phase extraction column at a rate of 5°C/min, as recited in claim 1.

Furthermore, Applicants discussed that added claims 31-35 were not addressed and/or considered in the Office Action, although included in the rejection summary. In response, Examiner Siefke indicated that claims 33-35 contain allowable subject matter.

II. Rejection Under 35 U.S.C. §103(a)

Claims 1, 3-7 and 31-35* were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,512,168 ("Fetner") in view of U.S. Patent No. 5,721,142 ("Klemm") and in further view of U.S. Patent No. 6,780,314 ("Jinno"). Applicants respectfully traverse this rejection.

Although Applicants respectfully disagree with the Patent Office's arguments (for the same reasons discussed during the interview, which were described above), Applicants have amended claim 1 to include the subject matter of claim 33. As above, Examiner Siefke indicated during the interview that claim 33 contains allowable subject matter. The Patent Office's rejection is thus moot.

Withdrawal of the rejection is respectfully requested.

III. Rejoinder

In view of the foregoing amendments and arguments, Applicants respectfully request that upon allowance of claims 1, 3, 31-32 and 34-35, at least claims 8-10 be rejoined with the present application and similarly allowed. Furthermore, Applicants respectfully request that upon allowance of claims 1, 3, 31-32 and 34-35, claims 11-30 also be rejoined with the present application and similarly allowed.

* The Final Rejection incorrectly indicates that claims 1, 3-6 and 31-35 were rejected under 35 U.S.C. §103(a).

IV. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 3-32 and 34-35 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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